

2005 DRAFTING REQUEST

Bill

Received: **05/24/2005**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Terry**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - retirement**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

WRS credit for service in the National Oceanic and Atmospheric Administration

Instructions:

See Attached.


Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
				_____			Retire
/1	rchampag	csicilia	jfrantze	_____	lemery		S&L
	06/28/2005	06/30/2005	06/30/2005	_____	06/30/2005		Retire
	rchampag	csicilia		_____			
	07/07/2005	07/25/2005		_____			
/2			rschluet	_____	lnorthro		S&L
			07/26/2005	_____	07/26/2005		Retire

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	rchampag 08/01/2005	chanaman 08/02/2005	rschluet 08/02/2005	_____	mbarman 08/02/2005	lnorthro 08/02/2005	

FE Sent For:

<END>

 At Intro.

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/2			rschlue	_____	Inorthro		S&L
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Topic:

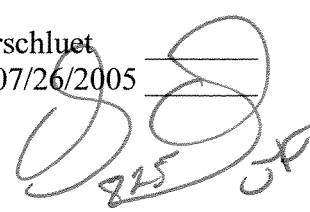
WRS credit for service in the National Oceanic and Atmospheric Administration

Instructions:

See Attached.

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/1	rchampag 06/28/2005 rchampag 07/07/2005	csicilia 06/30/2005 csicilia 07/25/2005	jfrantze 06/30/2005		lemery 06/30/2005		S&L Retire
/2			rschluet 07/26/2005		Inorthro 07/26/2005		



Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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FE Sent For:

1/2 jps 7/25/05
725 <END>

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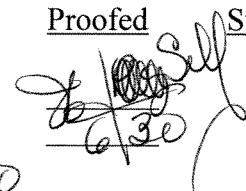
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/?	rchampag	1 gs 6/30 05	6/6/30				

FE Sent For:

<END>

RPN

Bill Request Form

Legislative Reference Bureau

100 N. Hamilton Street

Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 5/24/05

Legislator, agency, or other person requesting this draft Sen. Fred Risse

Person submitting request (name and phone number) Terry Tuschen (6-1627)

Persons to contact for questions about this draft (names and phone numbers) Same

Describe the problem, including any helpful examples. How do you want to solve the problem?

Draft bill to extend Military Service Credit for WRS employees to certain NOAA employees that served in a Uniformed Capacity. Letter describing issue is attached. Pls. call or email with any questions.

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2001 LRB-2345/1 or 1999 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?

YES NO

UNIVERSITY OF WISCONSIN-MADISON

DEPARTMENT OF CIVIL AND
ENVIRONMENTAL ENGINEERING

CEE

May 23, 2005

1208 Engineering Hall
1415 Johnson Drive
Madison, WI 53706
Telephone: 608 262-9854
FAX: 608 262-5199
email: vonderoh@engr.wisc.edu

to LRB For Drafting
UW

Senator Fred Risser
Rm 123 S.
State Capitol Building
Madison, WI

Dear Senator Risser:

Thank you very much for meeting with me this morning. I am interested in discussing the feasibility of making a revision in the Wisconsin State Statutes concerning uniformed services credit in the Wisconsin Retirement System. I have been in the employ of the State of Wisconsin, as a member of the University of Wisconsin – Madison faculty, since January, 1979.

Prior to my employment here, from July 6, 1970 through July 6, 1973, I served in the Commissioned Officer Corps of the National Oceanic and Atmospheric Administration (NOAA). Please see the attached discharge papers. I had been told, by supposedly knowledgeable people, that these three years could be counted as years of service in the Wisconsin Retirement System. When I applied for credit for these years, I was surprised to receive the attached notice of ineligibility from the Department of Employee Trust funds. Further communications with that Department have led me to understand that the eligibilities of uniformed services are not a matter of policy, but, instead, are a matter of State Law.

The NOAA Corps is a commissioned, uniformed service, with ranks and protocol identical to those of the U.S. Navy. Except for insignia, NOAA Corps uniforms are identical to those of the Navy. NOAA Corps dress codes and grooming codes are identical to those of the Navy. In times of declared war, the NOAA Corps and fleet are subject to transfer to Naval command. In fact, the ship I served on (the Pathfinder) had seen action in the Pacific during World War II. NOAA officers serve at the pleasure of the President of the United States, as do the officers of the other uniformed services.

While serving as a member of the NOAA Corps, I was eligible for uniformed services benefits, such as access to military bases, commissaries, and stores. Former NOAA Corps officers are eligible for G.I. benefits. My education at the University of Illinois was supported, in part, by G.I. Bill educational benefits.

The NOAA Corps website (<http://www.noaaacorps.noaa.gov/>) has more information on the history, mission, and activities of the Commissioned Corps.

The Wisconsin Statutes are inconsistent with regard to the NOAA Corps. Similar to the other uniformed services, retired NOAA Corps officers, who are employed by the State of Wisconsin, do not pay state income tax on their NOAA pensions. However, dissimilar

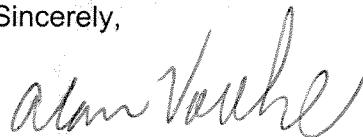
to the other uniformed services, former NOAA officers, who are employed by the State of Wisconsin, do not receive credit for their NOAA service in the Wisconsin Retirement System.

I have done some preliminary investigation of some other states' retirement systems. Of the four states in which I have made inquiries (Illinois, Oregon, Virginia, and Washington), two give credit for NOAA service and two do not.

To my knowledge, there are currently three former NOAA Corps officers in the employ of the State of Wisconsin. My expectation is that revision of the Statutes to include NOAA Corps service in the Wisconsin Retirement Service would incur miniscule current and future costs.

Once again, thank you very much for meeting with me, discussing these issues, and exploring the feasibility of revising the Wisconsin Statutes to be consistent both internally and with regard to long-established relationships and commonalities among the uniformed services.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alan Vonderohe".

Alan P. Vonderohe
Professor of Civil
and Environmental Engineering

attachments.

NOAA FORM 56-16
(1-73)

U. S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

REPORT OF TRANSFER OR DISCHARGE

PERSONAL DATA	1. LAST NAME - FIRST NAME - MIDDLE NAME VONDEROHE, Alan Paul						2. SOCIAL SECURITY NO. 331-40-6968		
	3. BRANCH OF SERVICE Commissioned Corps National Oceanic and Atmospheric Administration				4a. GRADE 0-2	b. PAY GRADE 0-2	5. DATE OF RANK: MONTH 07 DAY 11 YEAR 71		
	6. U. S. CITIZEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		7. PLACE OF BIRTH (City and State or Country) Charles City, Iowa			8. DATE OF BIRTH: MONTH 10 DAY 07 YEAR 47			
SELECT. SERV. DATA	9a. SELECTIVE SERVICE NO. 11 203 47 295			b. SELECTIVE SERVICE LOCAL BOARD NO. 203 CITY, COUNTY, STATE, AND ZIP CODE Danville, Vermilion, Illinois 61833					
	10a. TYPE OF TRANSFER OR DISCHARGE Discharge						b. STATION OR INSTALLATION AT WHICH EFFECTED Hydrographic Field Party, Norfolk, Virginia		
TRANSFER OR DISCHARGE DATA	c. REASON AND AUTHORITY Resignation accepted pursuant to Section 06801, U.S. Coast & Geodetic Survey Regulations						d. EFFECT. DATE MONTH 07 DAY 06 YEAR 73		
	11. LAST DUTY ASSIGNMENT Hydrographic Field Party 745-National Ocean Survey				12a. CHARACTER OF SERVICE Honorable		b. TYPE OF CERTIFICATE ISSUED Certificate of Service		
	13. CURRENT ACTIVE SERVICE a. SOURCE OF ENTRY: <input checked="" type="checkbox"/> ORIGINAL APPOINTMENT <input type="checkbox"/> REAPPOINTMENT <input type="checkbox"/> OTHER (Specify _____)				b. TERM OF SERVICE INDEFINITE		c. DATE OF ENTRY: MONTH 07 DAY 06 YEAR 70		
SERVICE DATA	15. HOME OF RECORD AT TIME OF ENTRY INTO ACTIVE SERVICE (Street or RFD, City, County, State, and Zip Code) 308 N. Coler Urbana, Illinois 61801				14. PLACE OF ENTRY INTO CURRENT ACTIVE SERVICE (City & State) Urbana, Illinois				
					16. STATEMENT OF SERVICE				
					a. CREDITABLE		(1) NET SER. THIS PD.	YEARS 03 MONTHS 00 DAYS 00	
					FOR BASIC PAY PURPOSES		(2) OTHER SERVICE	00 00 00	
							(3) TOTAL (Lines 1+2)	03 00 00	
				b. TOTAL ACTIVE SERVICE		03 00 00			
				c. FOREIGN AND/OR SEA SERVICE		01 01 25			
17. DECORATIONS, MEDALS, BADGES, COMMENDATIONS, CITATIONS, AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED None									
18. EDUCATION AND TRAINING COMPLETED None									
VA AND EMP. SERV. DATA	19. NON-PAY PERIODS TIME LOST (Preceding two years) None								
	20. SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE <input checked="" type="checkbox"/> \$15,000 <input type="checkbox"/> \$10,000 <input type="checkbox"/> \$5,000 <input type="checkbox"/> NONE						21. VA CLAIM NUMBER C - -----		
REMARKS	22. REMARKS								
AUTHENTICATION	23. PERMANENT ADDRESS FOR MAILING PURPOSES AFTER TRANSFER OR DISCHARGE (Street or RFD, City, County, State and Zip Code) 308 N. Coler Urbana, Illinois 61801				24. TYPED NAME, GRADE, AND TITLE OF AUTHORIZING OFFICIAL CDR Christian Andreasen, NOAA Chief, Commissioned Personnel Division				
					25. SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN <i>Christian Andreasen</i>				
					26. DATE OF ISSUE July 27, 1973				

Department of Employee Trust Funds
WISCONSIN RETIREMENT SYSTEM
P.O. Box 7931
Madison, WI 53707-7931

NOTICE OF INELIGIBILITY FOR MILITARY SERVICE CREDIT

Wis. Stats. § 40.02 (15)

Social Security Number

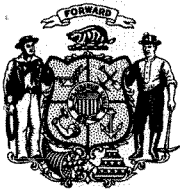
331-40-6968

ALAN VONDEROHE

You will not receive credit for military service. See below for reason(s).

- ☐ You have military service in a reserve branch of the military or the national guard. Duty in the military reserves or national guard, including active duty for training, is not creditable under WRS law.
- ☐ You were a civilian employee of the military.
- ☒ The service was not in the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard or Maritime Service.
- ☐ The discharge was dishonorable.
- ☐ You did not leave covered employment to enter military service and return to the same employer within 180 days of discharge from the military service.
- ☐ You will not have five years of creditable service, excluding military service, when you retire.
- ☐ Under current law we cannot grant WRS military service credit for active military service after 1973 unless you left covered WRS employment to enter military service and returned to the same WRS employer within 180 days after discharge. Since your military service after 1973 does not represent a break in continuous covered WRS employment, you are not eligible for WRS military service credit for this service.
- ☐ Your military service is being used to establish the amount of, or entitlement to, a federal nondisability pension other than Social Security or reserve military retirement.
- ☐ Other:

Date (Mo/Day/Yr)	Prepared by	Telephone Number
04/27/2004	James Kates	(877) 533-5020



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3095/1

RAC:.....

gs

Sean

2005 BILL

gen. cat.

- 1 AN ACT ...; relating to: granting military service credit under the Wisconsin
2 retirement system for service in the federal National Oceanic and Atmospheric
3 Administration.

Analysis by the Legislative Reference Bureau

Under current law, a participating employee under the Wisconsin retirement system (WRS) may receive one year of creditable service under WRS for each year of military service, up to a maximum of four years of military service credit, at the time of retirement in either of the following ways:

1. If the participant left employment covered under WRS to enter military service and returned to the same employer within 180 days after being discharged, the participant may receive one year of military service credit for each year of military service (regardless of the amount of the participant's creditable service). ✓

2. If the participant's military service was performed before 1974, the participant may receive up to one, two, three, or four years of military service credit if the participant has at least five, ten, fifteen, or twenty years, respectively, of creditable service (not counting previously granted military service credit). ✓

This bill provides for similar granting of creditable service under WRS for service in the federal National Oceanic and Atmospheric Administration. ✓

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 40.02 (15) (a) 3. of the statutes is amended to read:

2 40.02 (15) (a) 3. The participant returns to the employment of the employer
3 whose employment the participant left to enter the U.S. armed forces within 180
4 days of release, resignation, or discharge from the armed forces, or within 180 days
5 of release from hospitalization because of injury or sickness resulting from service
6 in the armed forces;

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16, 38, 103, 104, 109; 2003 a. 33.

7 **SECTION 2.** 40.02 (57m) (g) of the statutes is created to read:

8 40.02 (57m) (g) The federal National Oceanic and Atmospheric
9 Administration.

10 **SECTION 3.** 40.05 (2) (b) of the statutes is amended to read:

11 40.05 (2) (b) Contributions shall be made by each participating employer for
12 unfunded prior service liability in a percentage of the earnings of each participating
13 employee. A separate percentage rate shall be determined for the employee
14 occupational categories under s. 40.23 (2m) as of the employer's effective date of
15 participation. The rates shall be sufficient to amortize as a level percent of payroll
16 over a period of 40 years from the later of that date or January 1, 1986, the unfunded
17 prior service liability for the categories of employees of each employer determined
18 under s. 40.05 (2) (b), 1981 stats., increased to reflect any creditable prior service
19 granted on or after January 1, 1986, increased to reflect the effect of 1983 Wisconsin

BILL

1 Act 141, increased at the end of each calendar year after January 1, 1986, by interest
2 at the assumed rate on the unpaid balance at the end of the year and adjusted under
3 pars. (bu), (bv) ~~and~~, (bw), and (bx).

History: 1981 c. 96, 274, 278, 386; 1983 a. 9 s. 6; 1983 a. 27, 30; 1983 ~~a.~~ 46 ss. 2 to 4, 7; 1983 a. 140; 1983 a. 141 ss. 7 to 12, 20; 1983 a. 290, 504, 538; 1985 a. 29, 119, 135, 225; 1987 a. 27, 83, 107, 309, 356, 363; 1987 a. 403 s. 256; 1989 a. 13, 14, 31, 119, 122, 166, 182, 189, 230, 336, 355, 359; 1991 a. 32, 39, 107, 113, 141, 152, 189, 269; 1995 a. 27, 81, 88, 89, 240, 302; 1997 a. 35, 58, 149; 1999 a. 9, 11, 13, 104; 2001 a. 16; 2003 a. 33 ss. 1004 to 1015, 9160; 2003 a. 69, 117.

4 **SECTION 4.** 40.05 (2) (bx) of the statutes is created to read:

5 40.05 (2) (bx) The employer contribution rate determined under par. (b) for
6 participating employees who served in the federal National Oceanic and
7 Atmospheric Administration shall be adjusted to reflect the cost of granting
8 creditable service for those participating employees under s. 40.02 (15) and that rate
9 shall be sufficient to amortize the unfunded prior service liability of the employers
10 over the remainder of the 40-year amortization period under par. (b).

11 **SECTION 5. Initial applicability.**

12 (1) This act first applies to participating employees in the Wisconsin retirement
13 system who terminate covered employment on the effective date of this subsection.

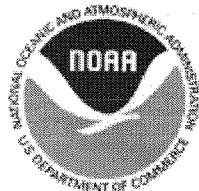
14 (END)

Per Terry:

Apply only to

Commissioned Officer

Cops



NOAA Commissioned Officer Corps

[NOAA Corps Home](#)[About the NOAA Corps](#)[Commissioned Personnel Center](#)[Recruiting](#)[Publications](#)

Sea

Thursday, June 30,
2005

About the NOAA Corps and Its Mission

[About](#)[Directory](#)[Flag](#)[History](#)[Insignia](#)[Mission](#)[NOAA Corps Values](#)[Ribbons](#)[Song](#)

The NOAA Commissioned Officer Corps is one of the seven uniformed services of the United States. The service, consisting of approximately 299 commissioned officers, is an integral part of the National Oceanic and Atmospheric Administration (NOAA), an agency of the U.S. Department of Commerce.

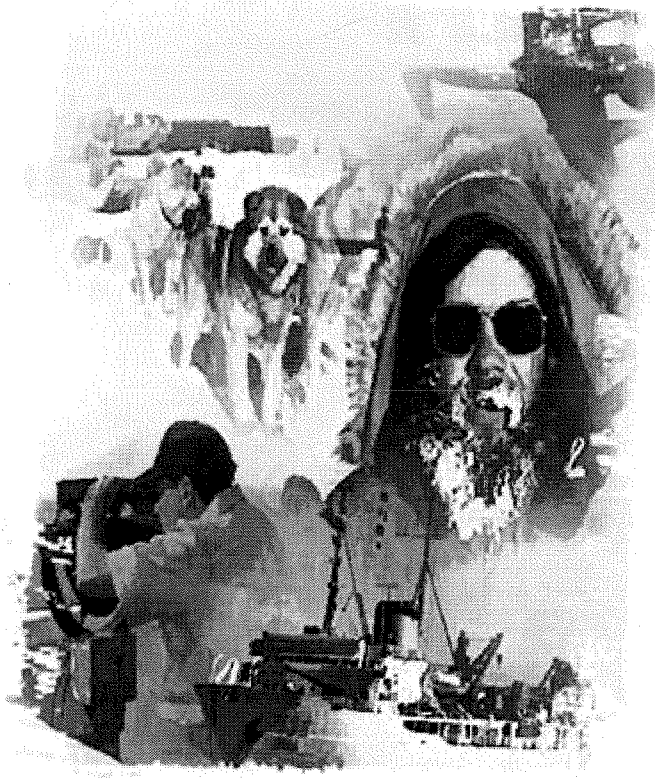
The Director of the NOAA Corps is Rear Admiral Samuel P. De Bow, Jr., NOAA. He is also the Director of the Office of Marine and Aviation Operations (NMAO) which operates a wide variety of specialized aircraft and ships to conduct NOAA's environmental and scientific missions.


The NOAA Commissioned Corps traces its roots back to the former U.S. Coast and Geodetic Survey, which dates back to 1807 and President Thomas Jefferson. The NOAA Corps today provides a cadre of professionals trained in engineering, earth sciences, oceanography, meteorology, fisheries science, and other related disciplines. Officers operate ships, fly aircraft, manage research projects, conduct diving operations, and serve in staff positions throughout NOAA.

The Corps' Mission

Provide officers technically competent to assume positions of leadership and command in the National Oceanic and Atmospheric Administration (NOAA) and Department of Commerce (DOC) programs and in the Armed Forces during times of war or national emergency.

Discipline and flexibility are inherent in the Corps personnel system. Officers are trained for positions of leadership and command in the operation of ships and aircraft; in the conduct of field projects on land, at and under the sea, and in the air; in the management of NOAA observational and support facilities; as members or leaders of research efforts; and in the management of various organizational elements throughout NOAA.



	HR.noaa.gov	Pre-Employment Forms for Entry-on-Duty (EOD)
	Employee Benefits	
Deposit for Post-1956 Military Service for Civilian Retirement Purposes		

PAYROLL FORMS EMPLOYEE BENEFITS MANDATORY TRAINING

Who may make a deposit for Military Service?

Only current employees may make a deposit for honorable active duty military service performed after 1956 in the following branches: Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States, or, after June 30, 1960, in the Regular Corps or Reserved Corps of the Public Health Service, or, after June 30, 1961, as a commissioned officer of the National Oceanic and Atmospheric Services Administration (formerly Coast and Geodetic Survey and Environmental Science Services Administration). Military service performed before 1957 is fully creditable for retirement purposes without a deposit.

What are my options?

If you were first employed in a position under the Civil Service Retirement System (CSRS) before October 1, 1982, you have the option of either: (1) making the deposit for the Post-1956 military service, and receiving credit for the military service even when you become eligible for Social Security benefits, or (2) not making the deposit and having your annuity re-computed to eliminate Post-1956 military service when you become eligible for Social Security benefits.

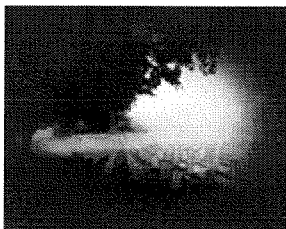
If you were first employed in a position under the Civil Service Retirement System on or after October 1, 1982, or the Offset Civil Service Retirement System (Offset CSRS) on or after January 1, 1984, or the Federal Employees Retirement System (FERS) on or after January 1, 1987, you will receive credit for your Post-1956 military service at the time of retirement ONLY if you have made a deposit for the service, whether or not you become eligible for Social Security benefits.

How much is the deposit?

The amount of the deposit for CSRS or Offset CSRS employees is 7% of basic military pay received. FERS employees' military deposit amount is 3% of basic military pay received. Interest began to accrue on October 1, 1985, OR will begin to accrue two (2) years after you were first employed, whichever is later. The interest rate is 3% from October 1 through December 31, 1985. Thereafter, interest accrues at a variable rate. This rate is determined annually by the Secretary of the Treasury, based on the average yield of new investments purchased by the Civil Service Retirement and Disability Fund during the previous fiscal year. The rate of interest is normally published in the "Federal Register" sometime in December. Interest rates for 1986 and later are:

Interest Rates

Year	Interest Rates	Year	Interest Rate



Burial & Memorial Benefits

Veterans Benefits & Services

[NCA Home Page](#)

["A Sacred Trust"](#)

[Nationwide Gravesite Locator](#)

[What's New](#)

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[National Cemetery Web Pages](#)

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[Obtaining Military Records & Medals](#)

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Burial Benefits Eligibility

To confirm your eligibility for burial benefits, please call a Veteran's Benefits Counselor at:

1-800-827-1000

Persons Eligible for Burial in a VA National Cemetery

VA national cemetery directors have the primary responsibility for verifying eligibility for burial in VA national cemeteries. A determination of eligibility is usually made in response to a request for burial in a VA national cemetery. VA Regional Offices will also assist in determining eligibility for burial in a VA national cemetery. The toll-free number for the nearest VA Regional Office is 1-800-827-1000.

a. Veterans and Members of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard)

(1) Any member of the Armed Forces of the United States who dies on active duty.

(2) Any veteran who was discharged under conditions other than dishonorable. With certain exceptions, service beginning after September 7, 1980, as an enlisted person, and service after October 16, 1981, as an officer, must be for a minimum of 24 continuous months or the full period for which the person was called to active duty (as in the case of a Reservist called to active duty for a limited duration). Undesirable, bad conduct, and any other type of discharge other than honorable may or may not qualify the individual for veterans benefits, depending upon a determination made by a VA

Regional Office. Cases presenting multiple discharges of varying character are also referred for adjudication to a VA Regional Office.

(3) Any citizen of the United States who, during any war in which the United States has or may be engaged, served in the Armed Forces of any Government allied with the United States during that war, whose last active service was terminated honorably by death or otherwise, and who was a citizen of the United States at the time of entry into such service and at the time of death.

b. Members of Reserve Components and Reserve Officers' Training Corps

(1) Reservists and National Guard members who, at time of death, were entitled to retired pay under Chapter 1223, title 10, United States Code, or would have been entitled, but for being under the age of 60. Specific categories of individuals eligible for retired pay are delineated in section 12731 of Chapter 1223, title 10, United States Code.

(2) Members of reserve components, and members of the Army National Guard or the Air National Guard, who die while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while performing active duty for training or inactive duty training, or undergoing such hospitalization or treatment.

(3) Members of the Reserve Officers' Training Corps of the Army, Navy, or Air Force who die under honorable conditions while attending an authorized training camp or on an authorized cruise, while performing authorized travel to or from that camp or cruise, or while hospitalized or undergoing treatment at the expense of the United States for injury or disease contracted or incurred under honorable conditions while engaged in one of those activities.

(4) Members of reserve components who, during a period of active duty for training, were disabled or died from a disease or injury incurred or aggravated in line of duty or, during a period of inactive duty training, were disabled or died from an injury or certain cardiovascular disorders incurred or aggravated in line of duty.

c. Commissioned Officers, National Oceanic and Atmospheric Administration

(1) A Commissioned Officer of the National Oceanic and Atmospheric Administration (formerly titled the Coast and Geodetic Survey and the Environmental Science Services Administration) with full-time duty on or after July 29, 1945.

(2) A Commissioned Officer who served before July 29, 1945, and,

(a) Was assigned to an area of immediate military hazard as determined by the Secretary of Defense while in time of war, or in a Presidentially declared national emergency; or,

(b) Served in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter.

d. Public Health Service

(1) A Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who served on full-time duty on or after July 29, 1945. If the service of the particular Public Health Service Officer falls within the meaning of active duty for training, as defined in section 101(22), title 38, United States Code, he or she must have been disabled or died from a disease or injury incurred or aggravated in the line of duty.

(2) A Commissioned Officer of the Regular or Reserve Corps of the Public Health Service who performed full-time duty prior to July 29, 1945:

(a) In time of war;

(b) On detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or,

(c) While the Service was part of the military forces of the United States pursuant to Executive Order of the President.

(3) A Commissioned Officer serving on inactive duty training as defined in section 101(23), title 38, United States Code, whose death resulted from an injury incurred or aggravated in the line of duty.

e. World War II Merchant Mariners

(1) United States Merchant Mariners with oceangoing service during the period of armed



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3095/1 2

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2005 BILL

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*the Commissioned
Officer Corps of*

- 1 AN ACT *to amend* 40.02 (15) (a) 3. and 40.05 (2) (b); and *to create* 40.02 (57m)
2 (g) and 40.05 (2) (bx) of the statutes; **relating to:** granting military service
3 credit under the Wisconsin Retirement System for service in the federal
4 National Oceanic and Atmospheric Administration.

Analysis by the Legislative Reference Bureau

Under current law, a participating employee under the Wisconsin Retirement System (WRS) may receive one year of creditable service under WRS for each year of military service, up to a maximum of four years of military service credit, at the time of retirement in either of the following ways:

1. If the participant left employment covered under WRS to enter military service and returned to the same employer within 180 days after being discharged, the participant may receive one year of military service credit for each year of military service (regardless of the amount of the participant's creditable service).

2. If the participant's military service was performed before 1974, the participant may receive up to one, two, three, or four years of military service credit if the participant has at least five, ten, fifteen, or twenty years, respectively, of creditable service (not counting previously granted military service credit).

This bill provides for similar granting of creditable service under WRS for service in the federal National Oceanic and Atmospheric Administration.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 40.02 (15) (a) 3. of the statutes is amended to read:

2 40.02 (15) (a) 3. The participant returns to the employment of the employer
3 whose employment the participant left to enter the U.S. armed forces within 180
4 days of release, resignation, or discharge from the armed forces, or within 180 days
5 of release from hospitalization because of injury or sickness resulting from service
6 in the armed forces;

✓
7 **SECTION 2.** 40.02 (57m) (g) of the statutes is created to read:

8 40.02 (57m) (g) The federal National Oceanic and Atmospheric
9 Administration.

Commissined Officer Corps of the

10 **SECTION 3.** 40.05 (2) (b) of the statutes is amended to read:

11 40.05 (2) (b) Contributions shall be made by each participating employer for
12 unfunded prior service liability in a percentage of the earnings of each participating
13 employee. A separate percentage rate shall be determined for the employee
14 occupational categories under s. 40.23 (2m) as of the employer's effective date of
15 participation. The rates shall be sufficient to amortize as a level percent of payroll
16 over a period of 40 years from the later of that date or January 1, 1986, the unfunded
17 prior service liability for the categories of employees of each employer determined
18 under s. 40.05 (2) (b), 1981 stats., increased to reflect any creditable prior service
19 granted on or after January 1, 1986, increased to reflect the effect of 1983 Wisconsin
20 Act 141, increased at the end of each calendar year after January 1, 1986, by interest

BILL

1 at the assumed rate on the unpaid balance at the end of the year and adjusted under
2 pars. (bu), (bv) ~~and~~, (bw), and (bx).

3 **SECTION 4.** 40.05 (2) (bx) of the statutes is created to read:

4 40.05 (2) (bx) The employer contribution rate determined under par. (b) for
5 participating employees who served in the federal National Oceanic and
6 Atmospheric Administration shall be adjusted to reflect the cost of granting
7 creditable service for those participating employees under s. 40.02 (15) and that rate
8 shall be sufficient to amortize the unfunded prior service liability of the employers
9 over the remainder of the 40-year amortization period under par. (b).

10 **SECTION 5. Initial applicability.**

11 (1) This act first applies to participating employees in the Wisconsin
12 Retirement System who terminate covered employment on the effective date of this
13 Subsection.

14 (END)

Commissioned Officer Corps of the

Champagne, Rick

From: Tuschen, Terry
Sent: Friday, July 29, 2005 12:34 PM
To: Champagne, Rick
Cc: Tuschen, Terry
Subject: LRB 05-3092 NOAA Officer Corps, etc

Importance: High

Hi Rick, well...turns out there is one lagging issue with the NOAA/Military Service Credit draft. I have a copy of his discharge paper and it does only say "commissioned corps", the word "officer" is not there. I pasted two updates that were sent to me on the history of this issue for your review. I don't know if it makes any difference, but it might, so I wanted to let you have a look. Let me know what you think. I think at the least we'll have to remove the word "officer" from the draft or maybe create a definition Section in the bill?

Anyway, thanks for all of your hard work!
Terry

1. This is wonderful! The only thought, other than joy, that I have is this: In looking over my discharge papers, the branch of service is identified as, "Commissioned Corps, National Oceanic and Atmospheric Administration". It does not say "Commissioned Officer Corps". The word "Officer" is not there. We were officers, but the discharge just says "Commissioned Corps". I don't know if this makes any difference
2. Glen reminded me that NOAA was formed, under a re-organization plan, in November, 1970. From 1965 through November, 1970, the Commissioned Corps was the Commissioned Corps of the Environmental Science Services Administration. ESSA, itself, was formed in 1965 through a previous re-organization plan. Prior to that re-organization, the Commissioned Corps was the Commissioned Corps of the United States Coast and Geodetic Survey. USC&GS was formed in 1807.

I don't know if any of this makes any difference. However, myself, Ken, and Glen were actually commissioned as officers in the Commissioned Corps, Environmental Science Services Administration. All of our discharge papers show us being discharged from the Commissioned Corps, National Oceanic and Atmospheric Administration. The years of service (3) that Ken and I would be eligible to claim overlap with ESSA and NOAA. I was an officer for three years from July, 1970 - July, 1973. Ken was also an officer in approximately the same time period.

Terry Tuschen
Office of State Senator Fred Risser
123 South, State Capitol
Madison, WI 53702
608.266.1627
Terry.Tuschen@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3095/2/3

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2005 BILL

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1 AN ACT *to amend* 40.02 (15) (a) 3. and 40.05 (2) (b); and *to create* 40.02 (57m)
2 (g) and 40.05 (2) (bx) of the statutes; **relating to:** granting military service
3 credit under the Wisconsin Retirement System for service in the Commissioned
4 ~~Officer~~ Corps of the federal National Oceanic and Atmospheric Administration.

Analysis by the Legislative Reference Bureau

Under current law, a participating employee under the Wisconsin Retirement System (WRS) may receive one year of creditable service under WRS for each year of military service, up to a maximum of four years of military service credit, at the time of retirement in either of the following ways:

1. If the participant left employment covered under WRS to enter military service and returned to the same employer within 180 days after being discharged, the participant may receive one year of military service credit for each year of military service (regardless of the amount of the participant's creditable service).

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This bill provides for similar granting of creditable service under WRS for service in the Commissioned ~~Officer~~ Corps of the federal National Oceanic and Atmospheric Administration.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

and the Commissioned Corps of the Federal
Environmental Science Services
Administration

BILL

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.02 (15) (a) 3. of the statutes is amended to read:

40.02 (15) (a) 3. The participant returns to the employment of the employer whose employment the participant left to enter the U.S. armed forces within 180 days of release, resignation, or discharge from the armed forces, or within 180 days of release from hospitalization because of injury or sickness resulting from service in the armed forces;

SECTION 2. 40.02 (57m) (g) of the statutes is created to read:

40.02 (57m) (g) The Commissioned ~~Officer~~ Corps of the federal National Oceanic and Atmospheric Administration. ~~and for the Commissioned Corps of the Environmental Science Federation~~

SECTION 3. 40.05 (2) (b) of the statutes is amended to read:

40.05 (2) (b) Contributions shall be made by each participating employer for unfunded prior service liability in a percentage of the earnings of each participating employee. A separate percentage rate shall be determined for the employee occupational categories under s. 40.23 (2m) as of the employer's effective date of participation. The rates shall be sufficient to amortize as a level percent of payroll over a period of 40 years from the later of that date or January 1, 1986, the unfunded prior service liability for the categories of employees of each employer determined under s. 40.05 (2) (b), 1981 stats., increased to reflect any creditable prior service granted on or after January 1, 1986, increased to reflect the effect of 1983 Wisconsin Act 141, increased at the end of each calendar year after January 1, 1986, by interest

BILL

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6 National Oceanic and Atmospheric Administration shall be adjusted to reflect the
7 cost of granting creditable service for those participating employees under s. 40.02
8 (15) and that rate shall be sufficient to amortize the unfunded prior service liability
9 of the employers over the remainder of the 40-year amortization period under par.
10 (b).

11 **SECTION 5. Initial applicability.**

12 (1) This act first applies to participating employees in the Wisconsin
13 Retirement System who terminate covered employment on the effective date of this
14 Subsection.

15 (END)

and
~~at~~ the Commissioned Corps of the
Federal Environmental Science
Services Administration

Northrop, Lori

From: Tuschen, Terry
Sent: Tuesday, August 02, 2005 12:24 PM
To: LRB.Legal
Subject: Draft review: LRB 05-3095/3 Topic: WRS credit for service in the National Oceanic and Atmospheric Administration

It has been requested by <Tuschen, Terry> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-3095/3 Topic: WRS credit for service in the National Oceanic and Atmospheric Administration